

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FELIPE GENAO MINAYA,

Defendant.

**4:18CR3058**

**ORDER**

Defense counsel has moved to withdraw due to a conflict of interest, and to continue Defendant's change of plea hearing. (Filing No. 105). Defendant is eligible for appointed counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska. The motion to continue is unopposed. Based on the representations of counsel, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defense counsel's motion to appoint new counsel and continue plea hearing, (Filing No. 105), is granted. Toni Leija-Wilson is hereby withdrawn as counsel, and shall promptly notify Defendant of the entry of this order.
- 2) The clerk shall delete Toni Leija-Wilson from any future ECF notifications herein.
- 3) The clerk shall forward this memorandum and order to the Federal Public Defender.
- 4) The Federal Public Defender shall forthwith provide the court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the Criminal Justice Act Plan for this district. .
- 5) The newly appointed counsel shall promptly file an entry of appearance on behalf of Defendant.
- 6) The Defendant's change of plea hearing will be held before the

undersigned magistrate judge on July 16, 2020 at 2:30 p.m., in Courtroom 2, United States Courthouse, Lincoln, Nebraska. Defendant is ordered to appear at this hearing.

- 7) For the reasons stated by counsel, the Court finds that the ends of justice served by continuing Defendant's plea hearing outweigh the best interest of Defendant and the public in a speedy trial. Accordingly, the time between today's date and the district court judge's acceptance or rejection of the anticipated plea of guilty shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

June 15, 2020.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge